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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,618	03/08/2001	Yevgeniy Eugene Shteyn	US018028	7682

24737 7590 06/23/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

MANNING, JOHN

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/793,034	02/26/2001	Philippe Vilard	FR 000020	1628

7590 01/14/2005
PHILIPS ELECTRONICS NORTH AMERICAN CORP
580 WHITE PLAINS RD
TARRYTOWN, NY 10591

EXAMINER

DESIR, JEAN WICEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JAN 27 2005

Technology Center 2600

Office Action Summary

Application No.

09/793,034

Applicant(s)

VILARD ET AL.

Examiner

Jean W. Désir

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2004, Amendment.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14, 15, 17-20, 23-25, 27-30 and 33 is/are rejected.
- 7) ☒ Claim(s) 16, 21, 22, 26, 31 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 14, 15, 17-20, 23-25, 27-30, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishii et al (Patent Abstract of Japan, No. 63-123275, 5/27/88, "Outline Correcting Device for Video" (Information Disclosure Statement provided by the Applicants)) in view of Vacher et al (US 5,619,279).

Claim 14:

Ishii discloses:

"an input operable to extract a luminance signal from the video signal", see luminance signal Y of Fig. 1 presented with the Abstract;

"a differentiator circuit operable to receive the luminance signal from the input, wherein the differentiator circuit has a controllable frequency response operable to obtain a derivative of the luminance signal", see items 2, 12 of Fig. 1, the Abstract's CONSTITUTION lines 6-11;

the difference between the claimed invention and Ishii's disclosure is that Ishii does not explicitly show "an input operable to extract the luminance signal" as claimed. However, extraction of luminance signal from a video signal is a very well known

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technique in the art, as evidence see Vacher at Fig. 1 item 26, col. 3 lines 15-17, 25-29, where extraction of luminance signal is taught as claimed; Ishii in view of Vacher would have rendered the claimed invention obvious, an artisan would be motivated to combine the references to arrive at the claimed invention, this combination would provide video signals of different types with a satisfactory quality. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claim 15 is disclosed in view of the above combination because luminance is a combination of the color components of the video signal.

Claim 17 is disclosed, see Fig. 1 of Ishii item 12, 2, the Abstract's CONSTITUTION lines 6-11.

Claim 18 is disclosed, see the Abstract's CONSTITUTION of Ishii lines 6-11.

Claim 19:

The limitation of claim 19 "wherein the differentiator circuit includes an adjustable capacitive path operable to adjust the controllable frequency response in accordance with the control signal" is not explicitly disclosed by the above combination. However, it is notoriously well known in the art to use capacitors to perform a differentiation at the time of the invention, as evidence see Vacher at Figs. 1, 2 item 12. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to implement the reference accordingly - that is with a capacitor - because such components are readily available to the designer.

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Claim 20 is disclosed, see Vacher at Fig. 4 where a first capacitor (31) and a second capacitor (32) are connected as claimed.

Claim 23 is disclosed, see Vacher at Fig. 2 items 18-20 which is an amplifier as claimed.

Claim 24 is rejected for the same reasons as claim 14, because "a video display apparatus, comprising: a scan device operable to display a video signal in accordance with a scanning rate, and a modulating device operable to modulate the scanning rate of the scan device" is disclosed, see Vacher at Fig. 1, also the title, and Ishii at the PURPOSE of the Abstract.

Claims 25, 27-30 are rejected for the same reasons as claims 15,17-20.

Claim 33 is disclosed, see Vacher at Fig. 1 items 13-15 which is a plurality of deflections coils as claimed, and Vacher at Fig. 2 items 18-20 which is an amplifier as claimed.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of new ground of rejection necessitated by the amendment.

Allowable Subject Matter

4. Claims 16, 21, 22, 26, 31, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (703) 308 9571. The examiner can normally be reached on 5/4/9 - First Friday Off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305 4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD

Jan. 6, 05


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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